

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-59

REISSUING CEASE AND DESIST ORDER, RESOLUTION NO. 68-14 WITH
AMENDMENTS FOR THE CITY OF PALO ALTO, SANTA CLARA COUNTY

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

1. This Regional Board prescribed requirements for waste discharge by the City of Palo Alto, called the discharger below, in Resolution No. 67-53, adopted October 19, 1967. On April 30, 1968 this Board adopted Resolution No. 68-14, an order to cease and desist from violations of requirements. The time schedule in this order was revised by Resolution No. 68-72 adopted December 18, 1968.
2. A report submitted by the Chief Utilities Engineer of Palo Alto, dated February 26, 1970 informed this Board that plans and specifications for joint facilities with the Cities of Mountain View and Los Altos had been completed and construction contracts had been awarded. A nine-month extension was requested for the remaining dates specified in Resolution No. 68-72.
3. At this Board's June 25, 1970 meeting, the City of Palo Alto reported that immediate corrective measures will be installed and the amounts of BOD, suspended solids and grease in the waste discharge will not be increased beyond the quantities presently being discharged.
4. This Board did conduct a hearing for consideration of issuance of a cease and desist order at its meeting on June 9, 1970 after due notice to the discharger; did consider the staff report relative to the case; and did hear all interested parties present and desiring to be heard.
5. It is this Regional Board's intent with this Resolution to amend and reissue Resolution No. 68-14 to make the code references consistent with the California Water Code.
6. The discharger was served by certified mail with a notice that this Board would consider issuance of a cease and desist order under provisions of Section 13301 of the California Water Code at a meeting duly held on July 23, 1970.
7. This Board did, at its meeting on July 23, 1970, review the staff report to the Board relative to this case, did consider reissuance and amending of a cease and desist order and heard all interested parties present and desiring to be heard.

REGIONAL BOARD FINDINGS

1. This Board accepts the aforementioned staff report as evidence and finds that the City of Palo Alto is discharging wastes from its sewage treatment plant which do not comply with requirements prescribed by this Board in its Resolution No. 67-53. The City of Palo Alto is violating the following requirements:

A. None of the alternate discharges hereinbefore enumerated shall cause:

- (1) The presence of floating, suspended or deposited macroscopic particulate material, foam, oil or grease of waste origin in waters of the State at any place
- (2) Significant discoloration or increased turbidity beyond present natural background levels in waters of the State any place beyond fifty feet from the existing point of discharge
- (3) Atmospheric odors recognizable as being of waste origin at any place outside of the property on which sewage treatment facilities are located

B. The quality of waste shall be maintained within the following limits at all times:

- (1) Any 24-hour composite sample made up of portions collected at hourly intervals in proportion to the rate of flow at the time of collection:

a.

b. 5-day, 20°C. BOD: The average
BOD removal from the waste
during any 21 or more days
shall be:

(1) At least 90 percent

(a) And not more than two consecutive daily
determinations shall indicate BOD removals
less than 80 percent

c.

d. Toxicity: survival of test
fishes in 96-hour bioassays
of the undiluted waste:

(1) Any sample 75 percent, minimum

(2) The average of any three
or more such consecutive
samples collected during
any 21 or more days 90 percent, minimum

(2) Any grab sample:

- a. Settleable matter 1.0 ml/1/hr. maximum
- b.
- c. Bacterial quality below those limits prescribed in Section 7958,
Title 17 of the California Administrative Code

IT IS HEREBY ORDERED BY THE REGIONAL BOARD

1. The City of Palo Alto is hereby ordered to cease and desist discharging waste from its sewage treatment plant in violation of requirements prescribed in Resolution No. 67-53 pursuant to the following time schedule:
 - A. Demonstrate compliance with disinfection requirements on or before August 15, 1970
 - B. Completion of construction and placing of all treatment plant units in service November 30, 1971
 - C. Demonstrate compliance with applicable requirements, or document the specific requirements which are still being violated June 1, 1972
2. This Board will consider restricting new waste discharges to the City of Palo Alto's sewerage system at its August 1970 regular meeting.
3. The City is required to file written reports with this Regional Board pursuant to Section 13267 of the California Water Code as follows:
 - September 1, 1970
 - October 15, 1970
 - May 15, 1971
 - December 15, 1971
 - February 15, 1972
 - June 15, 1972each report is to describe the status of construction.
4. Upon failure by the City of Palo Alto to comply with this order, the Executive Officer is authorized and directed to request the Attorney General to petition the Superior Court for proper legal relief restraining the City from continuing the discharge of wastes in violation of this order and to seek civil monetary remedies pursuant to Section 13350 California Water Code.

WILLIAM C. WEBER
Chairman

July 23, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-59 adopted by the California Regional Water Quality Control Board, San Francisco Bay Region at its regular meeting on July 23, 1970.

FRED H. DIERKER
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD - SAN FRANCISCO BAY REGION